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| ARTICLE 12 - OFFICERS |
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12.1 MANAGEMENT STRUCTURE

- **General**

The full Council may engage such staff (referred to as officers) as it considers necessary to carry out its functions.

- **Chief Officers**

The full Council will engage persons for the following posts, who will be designated Chief Officer¹:

| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|--|
| Chief Executive (and Head of Paid Service) | <p>Overall corporate management and operational responsibility (including overall management responsibility for all officers);</p> <p>Provision of professional advice to all parties in the decision making process;</p> <p>Together with the Monitoring Officer, responsibility for a system of record keeping for all the Council's decisions;</p> <p>Representing the Council on partnership and external bodies (as required by statute or the Council);</p> <p>Electoral matters</p> |
| Deputy Chief Executive | <p>Assisting the Chief Executive in the overall corporate management and operational responsibility of the Council;</p> <p>Taking the lead on corporate initiatives, particularly the delivery of the Council's organisational corporate objectives;</p> <p>Representing the Council on partnership and external bodies.</p> |

¹ Any reference to a Director within the constitution shall be deemed to include reference to all officers listed in this Article, except where the context requires otherwise.

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| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|---|
| <p>Assistant Chief Executive (Customer Access and Performance)</p> | <p>Corporate planning and policy development, Performance management, service improvement and transformation; Corporate equality and diversity activities; International and external relations; Communications strategy and policy, press and media relations; Knowledge and information management; Customer services and the promotion of welfare rights; and Management and oversight of area based working arrangements.</p> |
| <p>Director of Resources (and Section 151 Officer)</p> | <p>The Chief Finance Officer (Section 151 Officer) to the Council - provision of financial advice; Ensuring financial prudence of decision making, and the proper administration of financial affairs including benefits, student support, the collection of revenue, Council tax and national non domestic rates, internal audit, creditor payments and the Council's insurance arrangements; Industrial relations and employment matters including employee training and health and safety; Management of corporate governance; Risk management, civil defence and emergency planning; The application of information, communication and associated technologies to support the discharge of any of the Council's functions; Licensing and other related functions, and enforcement Services relating to building maintenance, catering, cleaning, transport and school crossing patrols; Procurement and purchasing; Civic and community buildings, accommodation and facilities management. Registration of births, deaths and marriages and civil partnerships; The management of matters relating to Members, the Lord Mayor,</p> |

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| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|---|--|
| | <p>Committees and Scrutiny Support; and</p> <p>Parish councils.</p> |
| <p>Director of City Development</p> | <p>Contaminated land, obtaining information as to interest in land, and arrangements for the execution of highways works;</p> <p>The management of land (including valuation, acquisition, appropriation, disposal and other dealings with land or any interest in land); the operation of retail and wholesale markets and car boot sales;</p> <p>The promotion of economic development and economic regeneration;</p> <p>The management of the city centre (including the promotion of the city centre and management of public spaces);</p> <p>Highways and road traffic functions excluding parking enforcement;</p> <p>Building control; safety at sports ground; flood and water management; environmental management including the formulation and implementation of environmental improvement programmes;</p> <p>Design services and asset management;</p> <p>Street naming and numbering;</p> <p>Tourism and promotions;</p> <p>Cultural services (including the arts, libraries, record repositories, museums and art galleries, public entertainment, halls and venues);</p> <p>Recreation services (including parks, countryside and sports facilities);</p> <p>Cemeteries, crematoria, burial grounds and mortuaries;</p> <p>Countryside management (including all matters relating to the provision and maintenance of footpaths and bridleways), and the provision and maintenance of landscaping schemes;</p> <p>Operation of markets and car boot sales, promotion of economic development and economic led regeneration, the management of the city centre and tourism and promotions; and</p> <p>Assets of Community Value.</p> |
| <p>Director of Environment and Neighbourhoods</p> | <p>Statutory nuisances and air quality;</p> <p>Housing (excluding those matters delegated to ALMOs); the condition and occupation of housing; caravan sites and land occupied by travelling people;</p> <p>Area based housing led regeneration; community planning and community initiatives; community safety and the reduction of crime and disorder;</p> <p>Vocational training and allied services for persons over compulsory</p> |

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| POST | FUNCTIONS AND AREAS OF RESPONSIBILITY |
|--|--|
| | <p>school age, and the promotion of arrangements to assist persons to obtain employment, and employers to obtain employees;</p> <p>Environmental and consumer protection; health and safety, public health (including the investigation and control of notifiable diseases); animal welfare;</p> <p>The development and implementation of the municipal waste policy; and</p> <p>Streetscene management and related enforcement functions.</p> |
| Director of Children's Services ² | The planning, commissioning and delivery of children's services (i.e. education, social and health services pertaining to children), child poverty and the promotion of arrangements for inter-agency co-operation. |
| Director of Adult Social Services ³ | The planning, commissioning and delivery of services for vulnerable adults including social services and the promotion of arrangements for inter-agency co-operation. |
| City Solicitor | <p>The Solicitor to the Council and Monitoring Officer; provision of legal advice;</p> <p>Land charges; and</p> <p>Data protection, human rights, freedom of information and regulation of surveillance activities.</p> |
| Chief Planning Officer | The authority's role as local planning authority,. |

Officer functions are further described in Part 3 of the Constitution.

- **Head of Paid Service, Monitoring Officer and Chief Finance Officer**

The Council will designate the following posts as shown:

| DESIGNATION | POST | DEPUTY |
|-----------------------|-----------------------|--------------------------------------|
| Head of Paid Service | Chief Executive | Deputy Chief Executive |
| Monitoring Officer | City Solicitor | Head of Governance Services |
| Chief Finance Officer | Director of Resources | Chief Officer (Financial Management) |

² Appointed under Section 18 Children Act 2004

³ Appointed under Section 6 of the Local Authority Social Services Act 1970

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By law, some functions of the Monitoring Officer and Chief Finance Officer (apart from the administration of the financial affairs of the Council) must be carried out personally, or carried out by a deputy nominated by them in cases of absence or illness⁴.

Such posts will have the functions described in Article 12.2–12.4 below.

- **Structure**

The Head of Paid Service will determine and publicise a description of the overall departmental structure of the Council showing the management structure and deployment of officers. This is set out at Part 7 of this Constitution.

FUNCTIONS OF THE HEAD OF PAID SERVICE

- **Discharge of functions by the Council**

The Head of Paid Service will report to full Council on the manner in which the discharge of the Council's functions is co-ordinated, the number and grade of officers required for the discharge of functions and the organisation of officers.

- **Politically restricted posts**

The Head of Paid Service will grant and supervise exemptions from political restriction⁵, in consultation with the Monitoring Officer.

- **Dispensations**

Following consultation with the Chair of the Standards and Conduct Committee, the Head of Paid Service will consider and determine written requests for dispensations.⁶

- **Restrictions on functions**

The Head of Paid Service cannot be the Monitoring Officer but may hold the post of Chief Finance Officer if a qualified accountant.

12.2 FUNCTIONS OF THE MONITORING OFFICER

- **Maintaining the Constitution**

The Monitoring Officer will maintain an up-to-date version of the Constitution and will ensure that it is widely available for consultation by Members, staff and the public.

⁴ See further Section 5/5A Local Government and Housing Act 1989

⁵ Section 3A Local Government and Housing Act 1989

⁶ In accordance with Section 33 of the Localism Act 2011.

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- **Ensuring lawfulness and fairness of decision making.**

After consulting with the Head of Paid Service and Chief Finance Officer, the Monitoring Officer will report to the full Council or to the Executive in relation to an executive function, if he/she considers that any proposal, decision or omission would give rise to unlawfulness or if any decision or omission has given rise to maladministration. Such a report will have the effect of stopping the proposal or decision being implemented until the report has been considered.

- **Reporting on maladministration or injustice**

The Monitoring Officer will prepare reports as required by the Local Government Act 1974 and the Local Government and Housing Act 1989 in relation to complaints which have been the subject of investigation by the Local Government Ombudsman and which have revealed maladministration, whether or not that maladministration has caused injustice.

- **Supporting the Standards Committee**

The Monitoring Officer will contribute to the promotion and maintenance of high standards of conduct through provision of support to the Standards and Conduct Committee⁷.

- **Functions relating to the Members' register of interests**

The Monitoring Officer will establish, maintain and publish the register of Members' interests⁸.

- **Proper officer for access to information.**

The Monitoring Officer will ensure that decisions, together with the reasons for those decisions and relevant officer reports and background papers are made publicly available as soon as possible.

- **Advising whether executive decisions are within the budget and policy framework**

The Monitoring Officer will advise whether decisions of the Executive are in accordance with the Budget and Policy Framework

- **Contributing to corporate management**

The Monitoring Officer will contribute to the corporate management of the Council, in particular through the provision of professional legal advice.

⁷ Including any action under the procedure for considering complaints alleging a failure to comply with the Members' Code of Conduct

⁸ In relation to Leeds City Councillors, voting co-opted Members of Leeds City Council, and Members of Parish and Town Councils in the Leeds area

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- **Providing advice**

The Monitoring Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and Policy Framework issues to all Councillors and will support and advise Councillors in their respective roles. The Monitoring Officer will also advise Members on the interpretation of the Members' Code of Conduct.

- **Reporting on resources**

The Monitoring Officer will report to the Council, as necessary on the staff, accommodation and resources s/he requires to discharge his/her statutory functions.

- **Receiving copies of certificates**

The Monitoring Officer will receive copies of certificates under the Local Authorities (Contracts) Regulations 1997.

- **Restrictions on posts**

The Monitoring Officer cannot be the Chief Finance Officer or the Head of Paid Service.

12.3 **FUNCTIONS OF THE CHIEF FINANCE OFFICER**

- **Ensuring lawfulness and financial prudence of decision making**

After consulting with the Head of Paid Service and the Monitoring Officer, the Chief Finance Officer will report to the full Council or to the Executive in relation to an executive function and the Council's external auditor if he/she considers that any proposal, decision or course of action will involve incurring unlawful expenditure, or is unlawful and is likely to cause a loss or deficiency or if the Council is about to enter an item of account unlawfully.

- **Administration of financial affairs**

The Chief Finance Officer will have responsibility for the administration of the financial affairs of the Council.

- **Contributing to corporate management**

The Chief Finance Officer will contribute to the corporate management of the Council, in particular through the provision of professional financial advice.

- **Providing advice**

The Chief Finance Officer will provide advice on the scope of powers and authority to take decisions, maladministration, financial impropriety, probity and Budget and

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Policy Framework issues to all Councillors and will support and advise Councillors and officers in their respective roles.

- **Give financial information**

The Chief Finance Officer will provide financial information to the media, members of the public and the community.

12.4 **Duty to provide sufficient resources to the Monitoring Officer and Chief Finance Officer**

The Council will provide the Monitoring Officer and Chief Finance Officer with such officers, accommodation and other resources as are in their opinion sufficient to allow their duties to be performed.

12.5 **Conduct**

Officers will comply with the codes of conduct and protocols set out in Part 5 of this Constitution.

12.6 **Employment**

The recruitment, selection and dismissal of officers will comply with the Officer Employment Procedure Rules set out in Part 4 of this Constitution.